

Minutes of the State Board of Health

December 10, 2002

A joint meeting of the Washington State Board of Health (SBOH) and the King County Board of Health (KCBOH) was held at the Hilton Seattle Airport & Conference Center at 17620 Pacific Highway South, SeaTac, Washington. The public meeting was called to order at 9:15 a.m. by Carolyn Edmonds, KCBOH Chair and SBOH Member.

SBOH members present:

Linda Lake, MBA, Chair
Vickie Ybarra, RN, MPH
The Honorable Carolyn Edmonds
David Crump, PhD
Carl Osaki, RS, MSPH

Secretary Mary Selecky
Thomas H. Locke, MD, MPH
Charles Chu, DPM
Ed Gray, MD
Joe Finkbonner, R.Ph., M.H.A.

KCBOH members present:

Karen VanDusen
David Hutchinson
Ava Frisinger
Dr. Al Thompson

Larry Gossett
Dr. Joe Pizzorno
Richard Conlin

State Board of Health Staff present:

Don Sloma, Executive Director
Craig McLaughlin, Senior Health Policy Manager
Doreen Garcia, Senior Health Policy Advisor
Marianne Seifert, Health Policy Advisor
Desiree Robinson, Executive Assistant
Jennifer Dodd, Assistant to the Board
Melissa Burke-Cain, Board Counsel, Office of the Attorney General

KCBOH Staff present:

Maggie Moran, KCBOH Staff
Craig Page, KCBOH Staff

Guests and Other Participants:

Wylie Burke, M.C. Ph.D., Chair UW Department of Medical History and Ethics
Maxine Hayes, M.D., State Health Officer, Department of Health
James LoGerfo, M.D., Director of the Community Health Program, Harborview Medical Center
Ed Adams, Physical Education Teacher, Dearborn Park Elementary
Debra Lochner Doyle, State Coordinator, Genetic Services, Department of Health
David Arterburn, M.D., VA Puget Sound Health Care System
Leslie Schulte, Health Educator, Group Health Cooperative
Meg Butterworth, Health Program Coordinator, King County Health
Nori Catabay, Policy Aide, Councilmember Carolyn Edmonds
Ginger Ruddy, M.D., Resident Family Medicine, Swedish Family Medicine of Seattle
Maureen Brown, M.D., M.P.H., Faculty, Swedish Family Medicine of Seattle

T. Joon Lee, M.D., M.P.H., Resident, Swedish Family Medicine of Seattle
 Jane Wu
 Gene Laughlin, Policy Analyst, King County Council, Kathy Lambert
 Kate Pearson, Territory Representative, Wyeth Vaccines
 Nancy Dalrymple, EHDDI Program Coordinator, Department of Health
 David Hutchinson, Mayor, Suburban Cities
 Thelma Simon, Member of Clean Air Now, concerned Cle Elum Citizen
 Maria Mason, Bainbridge Island Concerned Citizen
 Tom Bristow, King County Council Government Relations
 Gary Goldbaum, Public Health Seattle & King County Chronic Disease Prevention
 Cheza Collier, Health Manager, Public Health Seattle & King County Chronic Disease Prevention
 Brian Peyton, Legislative & Constituent Relations, Department of Health
 Vic Colman, Division of Community & Family Health, Department of Health
 Katharine Sanders, Washington Health Foundation

INTRODUCTIONS/WELCOME

Linda Lake, Chair, Washington State Board of Health and Carolyn Edmonds, Chair, King County Board of Health and SBOH member, welcomed the Board members and public to the joint meeting of the SBOH and the KCBOH. Chair Edmonds said one of her goals when she joined the King County Board was to have a joint meeting with the State Board. She mentioned that the governor has made public health funding a priority and the Tri-Association was working on a joint legislative package for which the second highest priority was public health. SBOH Chair Linda Lake also welcomed people and encouraged them to stay around for the afternoon SBOH meeting. She then called for introductions from Board members and staff.

HUMAN GENOMICS – IMPLICATIONS FOR PUBLIC HEALTH

SBOH Executive Director Don Sloma directed the Board members to the materials behind Tab 2 and briefly discussed possible changes in public health practice as a result of human genomics. Maggie Moran, KCBOH Staff then introduced Maxine Hayes, M.D., State Health Officer, and Wylie Burke, M.D. Ph.D., Chair UW Department of Medical History and Ethics (see bios behind Tab 2).

Dr. Wylie Burke reviewed the activities of the Human Genome Project and the implications of that work for public health (see slides behind Tab 2).

Dr. Maxine Hayes invited members to think ahead to April 2003 when the Human Genome Project will be completed. The question, then, will be: Now what? What do we do with this information? She discussed the difference between genetics—the study of single genes—and genomics—the studies of the functions and interactions of all genes in the genome. What does it mean for public health? The science is amazing, she said, but we don't really yet know what all this new information means and how we can integrate it into public health communities. She discussed genomics activities of health departments, the creation of new centers for genetics at the Centers for Disease Control and Prevention, and activities of National Association of County and City Health Officer and the Association of State and Territorial Health Officers. She said we need far more information about the impacts of genetic information on populations. Would, for example, the frequency of a genetic variant justify doing something different in population health? We need to associate genomics with the 21st century just as we associated communicable disease with the 20th century. Many genetics tests — and there are 900 available — are not ready for prime time.

She suggested that public health use the Ten Essential Services as a guide (including community involvement and development of the public health workforce).

Board members then discussed whether genetic testing might encourage people to avoid high-risk behaviors, whether a short communications tool exists that politicians could use to convey information about genetics at the community level, the role of boards like these in the discussion of ethics around genomics, medical school training for physicians, and genetic privacy and workplace accommodations.

PUBLIC POLICY DEVELOPMENT IN ADDRESSING HEALTH BEHAVIORS

Mr. Sloma directed the board members to the materials behind Tab 3 and introduced James LoGerfo, M.D., Director of the Community Health Program, Harborview Medical Center. Dr. LoGerfo discussed the role of government in influencing healthy behaviors—including nutrition and physical activity (see matrix behind Tab 3). Dr. Al Thompson, KCBOH Board member said it is important to ask who you are marketing to — there are socioeconomic issues to consider. People who feel they have no future will not defer current experiences because of future health benefits. Richard Conlin, KCBOH member, spoke to the role of public investments in sidewalks and other infrastructure and asked about a communications strategy that would yield long-term results. Dr. LoGerfo recommended a 10- to 15-year strategy.

SCATS SEATTLE PUBLIC SCHOOLS DEMONSTRATION TEAM

Ed Adams, physical education teacher at Dearborn Park Elementary introduced SCATS, a 30 year old award winning physical education program of the Seattle Schools. A group of some twenty students provided a demonstration of tumbling, juggling, and other gymnastics activities taught in the program that have been demonstrated to be successful in involving all students in non-competitive physical activity.

DEPARTMENT OF HEALTH UPDATE

Secretary of Health and SBOH Member Mary Selecky provided an update about Department of Health activities. She discussed three items: (1) the DOH Strategic Plan; (2) the state and DOH budget, and (3) smallpox preparedness (see handouts).

RECOGNITION OF RETIRING KCBOH MEMBERS

Chair Edmonds acknowledged the importance of including health professionals as members of the KCBOH. Ms. Edmonds presented Karen VanDusen, Dr. Thompson and Dr. Joe Pizzorno with resolutions and gifts, and thanked them for their contributions to the KCBOH.

OVERVIEW OF SBOH LEGISLATIVE RELATIONS PROCESS

Linda Lake, WSBOH Chair, referred to materials behind Tab 6 and encouraged future discussion about the legislative issues between the two boards.

Chair Lake and Chair Edmonds adjourned the meeting at 12:30.

Joint SBOH/KCBOH Lunch

CALL TO ORDER, AFTERNOON SESSION

A meeting of the Washington State Board of Health was held at the Hilton Seattle Airport & Conference Center at 17620 Pacific Highway South, SeaTac, Washington. The public meeting was called to order at 1:30 p.m. by Linda Lake, SBOH Chair.

APPROVAL OF AGENDA

Motion: Approve December 10, 2002 agenda

Motion/Second: Crump/Osaki

Approved unanimously

ADOPTION OF SEPTEMBER 11, 2002 MEETING MINUTES

Motion: Approve the October 9, 2002 minutes

Motion/Second: Osaki/Crump

Approved unanimously

SBOH STAFF ANNOUNCEMENTS AND OTHER BOARD BUSINESS

WSBOH Executive Director Don Sloma introduced the October 9, 2002 Washington State Public Health Association (WSPHA) resolution asking for a review of rules, policies, and procedures related to HIV/AIDS. Chair Lake asked WSBOH staff to work with DOH to develop a work plan and report back at the March 2003 Board meeting. Mr. Sloma reviewed the “FYI” section of the Board agenda.

SBOH/JOINT CONFERENCE ON HEALTH PLANNING

Craig McLaughlin, WSBOH Staff referred to materials behind Tab 11. The Board discussed whether it would be appropriate and desirable to incorporate planning for the Joint Conference on Health explicitly into the official duties of the Board’s executive director and other Board staff.

Motion: The Board finds that it has an interest in supporting and promoting the Joint Conference on Health consistent with its authority and mission, and it authorizes Board staff to include such support and promotion in their official duties.

Motion/Second: Edmonds/Ybarra

Approved unanimously

CR-102 HEARING – EMERGENCY POWERS CHAPTERS 246-100 & 246-101 WAC

Thomas Locke, WSBOH Member, discussed the emergency powers’ rule revision process, referenced the significant changes since the September hearing, and handed out a page of additional changes that respond to comments on the CR-102 (see materials in Tab 12). Ed Gray, WSBOH Member, asked if there was a rationale behind providing personal protective equipment but not requiring people to wear it. Dr. Locke agreed that requiring wearing of personal protective equipment (PPE) made sense and asked if it was addressed elsewhere. Craig McLaughlin added that he didn’t think it was. Further discussion led to the development of possible amendments that would address Dr. Gray’s concerns. Dave Crump, WSBOH Member, asked about the definition of “spouse” as marriage partner, if that language was appropriate given non-marriage legal rights. Dr. Locke replied that the language was from Federal HIV language. Ms. Edmonds asked about the suggested changes to the rule Kimberly Craven, Executive Director, Governor’s Office of Indian Affairs, submitted (see Tab 12). Dr. Locke recommended that consultation with the tribes is already being incorporated in the bioterrorism planning. Carl Osaki, WSBOH Member, asked how this policy would be communicated to those who are affected by the policy, given the complicated nature and language of the policy. Dr. Locke responded that certain sections are written for health officers and for lawyers, and that his message to the public is that the Board reviewed all comments and tried to preserve personal rights as much as possible.

No public testimony was offered.

Chair Lake declared legislative executive session with the public present.

Dr. Locke moved the following, which was seconded by Ms. Edmonds.

The Board adopts the proposed rule revisions as published in WSR 02-22-107 and directs the executive director to submit a CR-103 to that effect.

Motion/Second: Locke/Edmonds

Mr. Crump the proposed an amendment, which was seconded by Ms. Edmonds:

Motion: Amendment the proposed rule revisions to incorporate the eight suggested on the white sheet distributed by Dr. Locke.

Motion/Second: Crump/Edmonds

Ms. Edmonds then proposed an amendment to Mr. Crump's amendment, which was seconded by Dr. Gray:

Motion: Alter the suggested change #8 on the white sheet to strike the first occurrence of the word "appropriate" in the proposed WAC 246-100-050(1)(c) and replace it with "may be required to wear," and to add the word receive between "and/or" and "vaccination."

Motion/Second: Edmonds/Gray

The Board unanimously approved Ms. Edmonds amendment to Mr. Crump's amendment. The Board unanimously approved Mr. Crump's amendment as amended. The Board unanimously approved Dr. Locke's original motion as amended. Chair Lake ended the legislative executive session.

CR-102 HEARING – REVISIONS TO CHAPTER 246-680 WAC PRENATAL TESTS - CONGENITAL & HERITABLE DISORDERS

Vickie Ybarra, WSBOH Member, initiated the public hearing to consider proposed revisions to Chapter 246-680 WAC-Prenatal Tests-Congenital and Heritable Disorders as published in WSR 02-22-078. Ms. Ybarra referred the Board members to the materials behind Tab 13. She explained that the rule is intended to assure that pregnant women are offered prenatal tests consistent with current standards of practice. Doreen Garcia, WSBOH staff, explained that the tests that must be offered to a pregnant woman when she is covered by a health insurance benefits package that includes prenatal care. Ms. Ybarra proposed two amendments to the published draft rule based on written public comment received by the Board prior to today's hearing:

Amendment 1: Replace "partner" with "biologic father" wherever the language occurs.

Amendment 2: Replace the language in WAC 246-680-020, section (c) with the following:

Information about Group B Strep should be provided to all pregnant women, including the risk to the newborn, if the woman is identified through screening as potentially colonized with Group B Strep. Screening is done through prenatal vaginorectal cultures, although specific clinical indicators may preclude screening. Pregnant women who are currently colonized with Group B Strep or who have unknown Group B Strep status should receive intrapartum treatment in accordance with the current standard of practice in order to reduce risk to the newborn.

At the request of the Board, Debra Lochner Doyle, State Coordinator, Genetic Services, DOH explained the reasons for using the fluorescent in-situ hybridization (FISH) diagnostic test in the prenatal testing process.

Doreen Garcia directed the Board to written testimony received (See Tab 13). No oral public testimony was offered.

Motion: The Board adopts the changes to Chapter 246-680 WAC-Prenatal Tests-Congenital and Heritable Disorders as proposed and as published in WSR 02-22-078 with the proposed changes suggested by Ms. Ybarra.

Motion/Second: Ybarra/Crump

Approved unanimously

PRESENTATION OF ANNUAL REPORT PROPOSED LANGUAGE & MOCK-UP

Mr. McLaughlin directed the Board members to the draft of the 2002 Annual Report found in Tab 14. He said he has been working with the Public Health Improvement Partnership to establish standards for a common look among public health documents, and that this year's report would reflect those standards. In response to questions from Board members about the impacts of Board documents, Katherine Sanders, Washington Health Foundation, told the Board that the Board's work to reduce health disparities has influenced the Foundation's work as well as the work of other organizations. Mr. Crump suggested that the document be edited to reflect the importance of collaboration in the Board's activities.

Motion: The Board approves the draft annual report language as submitted December 10, 2002, subject to future editing with the review and approval of the Board Chair.

Motion/Second: Crump/Finkbonner

Approved unanimously

2002 PROGRESS REPORT ON ACCESS TO CRITICAL HEALTH SERVICES

Dr. Locke introduced Dr. David Arterburn, an intern to the Board who worked with Dr. Locke to prepare the draft *Status Report on Access to Critical Health Services, Phase II (2001-03)*. Dr. Locke and Dr. Arterburn presented the draft status report found in Tab 15. Dr. Locke reviewed the status report recommendations. Board members then discussed various aspects of the report, and Dr. Gray suggested the report be edited to make the definition of access more prominent.

Motion: The Board approves the Status Report on Access to Critical Health Services with change to the text suggested by Dr. Gray and authorizes its distribution.

Motion/Second: Locke/Edmonds

Approved unanimously

PROPOSED MODIFICATIONS TO SBOH POLICY 01-001 – “IDENTIFYING, MONITORING, AND COMMUNICATING WITH THE LEGISLATURE ABOUT LEGISLATION RELEVANT TO THE STATE BOARD OF HEALTH”

Mr. McLaughlin presented proposed modifications to SBOH Policy 01-001 found in Tab 16. The Board discussed the proposed modifications.

Motion: The Board adopts revisions to Policy 01-001 as proposed on December 10, 2002.

Motion/second: Crump/Edmonds

Approved unanimously

FIRST DRAFT OF 2003 LEGISLATIVE POLICY GUIDANCE

Chair Lake and Mr. McLaughlin discussed about likely issues of Board interest for the 2003 Legislative Session (see materials behind Tab 17). Ms. Edmonds reviewed the joint legislative agenda of the Association of Washington Cities (AWC), the Washington State Association of Counties (WSAC), and the Washington Association of County officials (WACO). Ms. Ybarra requested that the Board monitor possible legislation related to health disparities. She also asked the Board to monitor possible legislation pertaining to children's oral health. Mr. McLaughlin said he would return with a proposed "Sense of the Board" document for the January meeting and would consult with Board sponsors and chairs about specific issues.

PUBLIC TESTIMONY

Chair Lake addressed the public with the following statement: "The Board listens carefully to everyone who comes before us, but Board members rarely respond directly to public testimony. We may follow up with questions to make sure we understand the testimony, but typically we do not engage in dialogue or consider any action at this time. If we think future action may be needed, we will ask a staff member to follow up, to conduct any necessary research, and to report back to the Board about possible actions at a future meeting."

Maria Mason: Ms. Mason presented recommendations to the Board to address the health of students and teachers, along with a history of "sick building syndrome" at the Cle Elum-Roslyn schools (see handouts). Ms. Mason asked the Board to include parents on the Board's workgroup evaluating the Board's role in school indoor air quality policy.

Thelma Simon: Ms. Simon expressed her concerns that the DOH survey of Cle Elum-Roslyn High School (see the Board's October 9, 2002 meeting, Tab 12 for the survey) is not being distributed to the public.

ADJOURNMENT

Chair Lake adjourned the meeting at 4:40 p.m.

WASHINGTON STATE BOARD OF HEALTH

A handwritten signature in cursive script, reading "Linda Lake", written in black ink.

Linda Lake, Chair